

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et al.

Debtors.<sup>1</sup>

PROMESA Title III

Case No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

Case No. 17-BK-4780-LTS

**SIXTH AMENDED NOTICE OF DEPOSITIONS PURSUANT TO FED R. CIV. P. 30  
BY THE AD HOC GROUP OF PREPA BONDHOLDERS,  
ASSURED GUARANTY CORP., ASSURED GUARANTY MUNICIPAL CORP.,  
SYNCORA GUARANTEE, INC., AND U.S. BANK NATIONAL ASSOCIATION AS THE  
PREPA BOND TRUSTEE, IN CONNECTION WITH PREPA'S TITLE III PLAN OF  
ADJUSTMENT**

<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801).

**PLEASE TAKE NOTICE** that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, made applicable to these proceedings pursuant to Rules 7030 and 9014 of the Federal Rules of Bankruptcy Procedures (the “Bankruptcy Rules”) and section 310 of the Puerto Rico Oversight, Management and Economic Stability Act (“PROMESA”), the Ad Hoc Group of PREPA Bondholders, Assured Guaranty Corp. (“AGC”), Assured Guaranty Municipal Corp. (“AGM,” and together with AGC, “Assured”), Syncora Guarantee Inc., and U.S. Bank National Association, in its capacity as the PREPA Bond Trustee, (collectively, the “Bondholders”) will take the deposition upon oral examination of the following persons at the dates, times, and locations set forth below or at such other times and places as agreed upon by the parties.<sup>2</sup>

1. The deposition of **José Rivera Rivera** will commence on **May 23, 2023 at 9:30 a.m.**, remotely, with the witness appearing at the offices of Toro Colon Mullet P.S.C., 416 Ponce de León Avenue Union Plaza, Suite 311 San Juan, PR 00918-3430, or at such other times and places as agreed upon by the parties. The topics of Mr. Rivera Rivera’s deposition will include, without limitation, PREPA’s pension obligations, whether the pensions constitute Current Expenses under the Trust Agreement, and the Plan’s<sup>3</sup> treatment of pension claims. To observe or participate in Mr. Rivera Rivera’s deposition remotely, please use the following link:

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<sup>2</sup> The depositions of the following individuals took place as previously noticed on the dates specified here: David Skeel, May 3, 2023; William Zarakas, May 4, 2023; Sheva Levy, May 10, 2023; Ojas Shah, May 11, 2023; Fernando Batlle, May 12, 2023; David Brownstein, May 16, 2023; Robert Mujica, May 17, 2023; Thomas Sanzillo, May 19, 2023; José Fernández, May 22, 2023.

<sup>3</sup> Any capitalized terms not defined herein shall have the meaning ascribed to them in the *Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority*, (ECF No. 3296) (as it may be amended modified, or supplemented, the “Plan”) and the *Disclosure Statement for the Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority* (ECF No. 3297) (as it may be amended modified, or supplemented, the “Disclosure Statement”). And, unless otherwise specified, references to the docket are to Case No. 17-BK-04780-LTS.

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(please note that the link for Mr. Rivera Rivera's deposition has been updated)

2. Consistent with discussions between the parties, the 30(b)(6) deposition of PREPA designee, **Lucas Porter**, will commence on **May 24, 2023 at 9:30 a.m.** at the offices of Kramer Levin Naftalis & Frankel, LLP, 1177 Avenue of the Americas, New York, NY 10036.<sup>4</sup> To observe or participate in Mr. Porter's deposition remotely, please use the following link:

<https://proceedings.veritext.com/?token=5aff87a204715a56da63d8f0bfe30a97>

3. The deposition of **Ellen Smith** will commence on **May 25, 2023 at 9:00 a.m.** at the offices of Kramer Levin Naftalis & Frankel, LLP, 1177 Avenue of the Americas, New York, NY 10036. The topics of Ms. Smith's deposition will include, without limitation, the Plan, the Disclosure Statement, the condition of PREPA, and in particular of PREPA's transmission and distribution system and generation plants and systems, PREPA's future capital improvement needs and options, and any information or opinions disclosed in any expert disclosure or report filed for Ms. Smith. To observe or participate in Ms. Smith's deposition remotely, please use the following link:

<https://proceedings.veritext.com/?token=207ccfe0a551fa0adce90cbe6fccbf7>

4. The deposition of **Josué Mitja González** will commence on **May 25, 2023 at 9:30 a.m.**, remotely, with the witness appearing at the offices of Toro Colon Mullet P.S.C., 416 Ponce de León Avenue Union Plaza, Suite 311 San Juan, PR 00918-

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<sup>4</sup> See also First Amended Notice of Deposition of the Ad Hoc Group of PREPA Bondholders Assured Guaranty Corp., Assured Guaranty Municipal Corp., Syncora Guarantee, Inc., and U.S. Bank National Association as the PREPA Bond Trustee to Puerto Rico Electric Power Authority in Connection with PREPA's Title III Plan of Adjustment Pursuant to Fed. R. Civ. P. 30(b)(6), Dkt. No. 17-bk-4780 at ECF No. 3476.

3430, or at such other times and places as agreed upon by the parties. The topics of Mr. Mitja González's deposition will include, without limitation, PREPA's pension obligations, whether the pensions constitute Current Expenses under the Trust Agreement, and the Plan's treatment of pension claims. To observe or participate in Mr. Mitja González's deposition remotely, please use the following link:

<https://proceedings.veritext.com/?token=c8ada73d08e5311ff1ea15a4d3266ec9>

(please note that the link for Mr. Mitja González's has been updated)

5. The deposition of **Glenn R. George**, on **June 2, 2023**, at **9:30 a.m.**, at the offices of Kramer Levin Naftalis & Frankel, LLP, 1177 Avenue of the Americas, New York, NY 10036. The topics of Mr. George's deposition will include, without limitation, the Plan, the Disclosure Statement, any work performed by Mr. George in connection with the Plan or the Disclosure Statement, the *Expert Report of Glenn R. George* (ECF No. 3418-1), Mr. George's forthcoming rebuttal expert report, the bases for Mr. George's expert opinions set forth in such reports, any other documents, reports, rebuttal reports, or testimony submitted or produced in connection with this case that bear on Mr. George's expert opinions, and any of Mr. George's prior statements, testimony, or work product that bear on his expert opinions in this case.
6. The depositions of **Omar Marrero** and **Josué Colón Ortiz**, that were previously noticed for **May 18, 2023** and **May 19, 2023**, respectively, in the *Second Amended Notice of Depositions Pursuant to Fed. R. Civ. P. 30 by the Ad Hoc Group of PREPA Bondholders, Assured Guaranty Corp., Assured Guaranty Municipal*

*Corp., Syncora Guarantee, Inc., and U.S. Bank National Association as the PREPA Bond Trustee, in Connection with PREPA's Title III Plan of Adjustment [ECF No. 3422]*, have been adjourned by agreement of the parties, subject to further discussion. Such adjournment shall not be construed as the waiver of any rights with respect to these depositions. The Bondholders reserve all rights to re-notice these depositions at a later date, with PREPA and AAFAF reserving all rights to object to these adjourned depositions if and when they are re-noticed.

7. The deposition of **Justin Peterson** will commence **at such time and location as agreed to by the parties**. The topics of Mr. Peterson's deposition will include, without limitation, the Plan, the Disclosure Statement, the Plan's feasibility, whether the Plan is in the best interest of creditors, whether the Plan unfairly discriminates against certain bondholders, the negotiation, terms and value of settlements discussed in the Plan (including with National and the Fuel Line Lenders), whether the Plan is fair and equitable, whether and under what other conditions the Plan could be made effective and consummated, whether the Plan was proposed in good faith, the Legacy Charge, the 2019 RSA, the New Bonds, and any other topic Mr. Peterson may reasonably be assumed to have knowledge about relevant to the Plan's confirmability, and also including any prior statements made by Mr. Peterson regarding any of the aforementioned topics or any other topic relevant to the confirmability of the Plan.
8. Based on further discussions by the parties, Bondholders hereby **withdraw** the prior deposition notice of **Juan Carlos Blanco Urrutia**, reserving all rights.

9. The deposition of any other Oversight Board members either by agreement of the parties or leave of the Court, consistent with Judge Dein's oral ruling on April 5, 2023, at times and locations to be determined.
10. Any other person or organization noticed for deposition by any other party.

The depositions will be taken pursuant to all applicable rules of the Court before a notary public or other such person authorized by law to administer oaths. The deposition will be recorded by stenographic means and video.

A dial-in/video link has been provided (or will be provided at a future date) for each noticed deposition to give all interested parties who are permitted to observe or participate in such depositions (in accordance with the procedures set forth in the *Amended and Restated Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith*, (ECF No. 3305)) adequate notice and opportunity to do so by phone and/or video. **In accordance with the Confirmation Procedures Order, any interested party planning to participate in or observe any of the above noticed depositions must sign the Protective Order Subscription on the Depository website prior to gaining access to confidential testimony and exhibits. ECF No. 3305 ¶ 19.**

*[Remainder of page intentionally left blank]*

Dated: San Juan, Puerto Rico  
May 22, 2023

**TORO COLÓN MULLET P.S.C.**

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**CERTIFICATE OF SERVICE**

We hereby certify that, on this same date, we electronically filed the foregoing with the clerk of the Court using the CM/ECF system, which will notify the attorneys of record.

At Washington, D.C., this 22nd day of May, 2023

**BY:** /s/ Matthew M. Madden

Matthew M. Madden

\*Admitted pro hac vice